

Customer Number

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I hereby certify that this TRANSMITTAL is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 2nd day of October, 2003.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed:

Wendy A. Frick

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: ) Examiner: Not yet assigned  
Hering, et al. )  
Serial No.: 10/623,914 ) Art Unit: Not yet assigned  
Filed: July 21, 2003 )  
For: **PROBES FOR CHONDROGENESIS** ) Attorney Docket No.: 27708/04065

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Sir:

Transmitted herewith are the following:

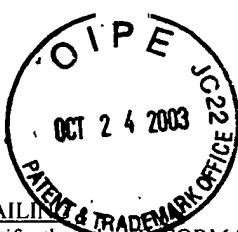
1. Information Disclosure Statement;
2. Form PTO-1449;
3. 14 References; and
4. Return receipt postcard.

It is believed that no further fee is required relating to the filing of this Information Disclosure Statement. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: October 21, 2003

By: Pamela A. Docherty  
Pamela A. Docherty, Reg. No. 40,591  
(216) 622-8416



CERTIFICATE OF MAILING

I hereby certify that this INFORMATION DISCLOSURE STATEMENT is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 24<sup>th</sup> day of October, 2003.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed: Wendy A. Frick

Customer Number

24024

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	)	Examiner: Not yet assigned
Hering, et al.	)	
	)	
Serial No.: 10/623,914	)	Art Unit: Not yet assigned
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	)	
For: PROBES FOR CHONDROGENESIS	)	Attorney Docket No.: 27708/04065

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

The information enclosed and cited on the accompanying form PTO-1449 is hereby submitted in compliance with 37 CFR §§1.56, 1.97 and 1.98 for consideration by the Examiner in connection with the application.

Respectfully submitted,

Date: October 21, 2003

By: Pamela A. Docherty  
Pamela A. Docherty, Reg. No. 40,591  
(216) 622-8416

OCT 24 2003



APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Subst. Form PTO-1449	Atty. Docket No.: 27708/04065	Serial No.: 10/623,914
		Applicant: Hering, et al.	
		Filing Date: July 21, 2003	Group: Not yet assigned

## U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	6,596,855	July 22, 2003	Hering, et al.			Jun. 14, 2001
	AB						
	AC						
	AD						

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translati n?
	AE	01/24833	April 12, 2001	WO			
	AF						
	AG						
	AH						
	AI						

## OTHER PRIOR ART

	AJ	Declaration of Thomas M. Hering, executed on December 12, 2001 with Appendices A & B.
	AK	"Novel Zinc-Finger Proteins Expressed During In Vitro Chondrogenesis" by Hering, et al., 47th Annual Meeting, Orthopaedic Research Society, February 25-28, 2001, San Francisco, California.
	AL	"Novel Zinc-Finger Proteins Expressed by Mesenchymal Progenitor Cells During In Vitro Chondrogenesis" by Hering, et al., First Symposium of the International Society for Matrix Biology, June 14-17, 2000, Jefferson Medical College, Philadelphia, Pennsylvania.
	AM	Abstract G130. "Novel Zinc-Finger Proteins CZF-1 and CZF-2 Expressed During Chondrogenesis" by Hering, et al., International Conference on Biology and Pathology of the Extracellular Matrix, October 12-15, 2000, Washington University Medical Center, St. Louis, Missouri.
	AN	GenBank Accession Number BE682165 dated April 25, 2001.
	AO	GenBank Accession Number AC007228 dated April 6, 1999.
	AP	"Chondrocyte expressed protein-68 (CEP-68), a novel human marker gene for cultured chondrocytes" by Steck, et al., <i>Biochem. J.</i> , (2001) 353, 169-174.
	AQ	"Chondrocyte-specific Enhancer Regions in the COMP Gene" by Issack, et al., <i>Journal of Orthopaedic Research</i> , 18:345-350, 2000.
	AR	"Mouse cathepsin K: cDNA cloning and predominant expression of the gene in osteoclasts, and in some hypertrophying chondrocytes during mouse development" by Rantakakko, et al., <i>FEBS Letters</i> , 393 (1996) 307-313.
	AS	"Cell Surface Antigens on Human Marrow-Derived Mesenchymal Cells Are Detected by Monoclonal Antibodies" by Haynesworth, et al., <i>Bone</i> , 13, 69-80 (1992).
	AT	"The Matrix Gla Protein Gene is a Marker of the Chondrogenesis Cell Lineage During Mouse Development" by Luo, et al., <i>Journal of Bone and Mineral Research</i> , Vol. 10, No. 2, 1995, 325-334.
	AU	"Chondrogenesis in Periosteal Explants" by O'Driscoll, et al., <i>The Journal of Bone and Joint Surgery</i> , 1994, pp. 1042-1051.

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.